

Message Text

MRN: 1973SALT T005399 SEGMENT NUMBER: 000001 ERROR READING TEXT INDEX

FILE; TELEGRAM TEXT FOR THIS SEGMENT IS UNAVAILABLE

ADP000

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 CIAE-00 INRE-00 /026 W

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O R 111504Z OCT 73

FM USDEL SALT TWO GENEVA

TO SECSTATE WASHDC IMMEDIATE 2130

INFO DOD

S E C R E T SECTION 2 OF 2 SALT TWO GENEVA 5399

EXDIS/SALT

SPECAT EXCLUSIVE FOR SECDEF

NON-CIRCUMVENTION PROVISION BUILT INTO PARAGRAPH 1(A) OF THAT ARTICLE.

11. ARTICLE VIII APPLIES TO MRV/MIRVS OF ALL TYPES, THUS INCLUDING POLARIS A-3S ON OUR SIDE AND SS-9 MOD 4, SS-11 MOD 3 AND SS-N-6 MOD 2 ON THEIR SIDE. THE PROVISION WOULD LIMIT ONLY THE NUMBER OF ICBMS AND SLBMS EQUIPPED WITH MRV/MIRVS AND WOULD THUS BE UNVERIFIABLE. THE SUBSTITUTION OF MIRVS FOR MRVS AND THE DEPLOYMENT OF MARVS WOULD BE PERMITTED. NO DISTINCTION WOULD BE MADE BETWEEN ICBMS AND SLBMS OR BETWEEN LIGHT ICBMS AND MLBMS, AND THUS THE SOVIETS WOULD BE FREE TO MIRV MLBMS UP TO ANY PERMITTED TOTAL NUMBER. THE INFERENCE IS THAT THE RELATIVE NUMBERS AGREED FOR BOTH SIDES WOULD BE A PERCENTAGE OF THE AGGREGATE NUMBER OF ICBM AND SLBM LAUNCHERS PERMITTED EACH SIDE UNDER ARTICLES III AND IV. IT IS AMBIGUOUS AS TO WHETHER THE PERCENTAGE MUST BE EQUAL FOR BOTH SIDES OR COULD BE UNEQUAL. ARTICLE VIII DEALS WITH ICBMS AND SLBMS AND NOT WITH LAUNCHERS DESPITE THE FACT THAT ARTICLE II SPECIFIES ONLY LAUNCHERS, NOT MISSILES, AS BEING WITHIN THE COMPOSITION OF "STRATEGIC OFFENSIVE ARMS." THERE IS NO PROVISION IN THE DRAFT TEXT WHICH WOULD LIMIT THE FUTURE DEVELOPMENT AND TESTING OF MIRVS AND THE DEPLOYMENT OF NEW GENERATION MIRVS WITHIN THE NUMERICAL LIMITS PROVIDED BY THIS ARTICLE.

12. ARTICLE IX ON REPLACEMENT AND MODERNIZATION IS CARRIED OVER FROM THE ABM TREATY AND THE INTERIM AGREEMENT.

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13. ARTICLE X IS MODELED AFTER ARTICLE V OF THE ABM TREATY AND INCORPORATES, IN MODIFIED FORMS, ITEMS COVERED IN THE SOVIET APRIL 6TH PROPOSAL. THE WORDS "BEGINNING FROM AN AGREED DATE" ARE NEW, AS IS THE INCLUSION OF "A) SUBMARINES OF A NEW GENERATION, ARMED WITH BALLISTIC MISSILES." THIS LANGUAGE IS AMBIGUOUS AS TO WHAT IS MEANT BY "NEW GENERATION" AND AS TO WHETHER "NEW" REFERS TO THE BEGINNING OF THE DEVELOPMENT PROCESS, THE INITIATION OF TESTING, OR THE INITIATION OF DEPLOYMENT. (THE SOVIET SIDE COULD HAVE IN MIND TRADING THE NON-DEVELOPMENT OF TRIDENT FOR THE NON-DEVELOPMENT OF THE NEW SOVIET SUBMARINE CLASS WHICH WOULD BE A FOLLOW-ON TO THEIR D CLASS.) THE REMAINING ITEMS ARE SUBSTANTIALLY THE SAME AS IN THEIR APRIL 6TH PROPOSAL. PROHIBITING NEW TYPES OF STRATEGIC BOMBERS COULD PROHIBIT THE B-1 IF "NEW" REFERS TO INITIATION OF FLIGHT TESTING. IN THE WORDING OF THE SEA-BASED CRUISE MISSILE PROVISION, THE WORDS "SPECIFICALLY DESIGNED TO STRIKE LAND TARGETS" HAVE BEEN LEFT OUT AND THE WORD "STRATEGIC" SUBSTITUTED. THE WORDS "OR WHICH COULD MOVE ONLY IN CONTACT WITH THE BOTTOM" HAVE BEEN ADDED TO THE SEABED FORMULATION. THE ARTICLE CONTAINS NO PROHIBITION ON NEW TYPES OF ICBMS OR SLBMS OR LAUNCHERS.

14. WHILE ARTICLE XI APPEARS TO BE MODELED AFTER AGREED INTERPRETIVE STATEMENT E TO THE ABM TREATY, IN FACT ITS EFFECT WOULD BE THE OPPOSITE. ARTICLE III OF THE ABM TREATY BANNED THE DEPLOYMENT OF ALL ABM COMPONENTS NOT SPECIFICALLY PERMITTED UNDER ARTICLE III AND THUS BANNED NEW COMPONENTS BASED ON NEW PHYSICAL PRINCIPLES. INTERPRETIVE STATEMENT E PROVIDED THAT SHOULD SUCH SYSTEMS BE DEVELOPED THEY COULD BE DISCUSSED IN THE SCC AND THAT THEIR DEPLOYMENT COULD BE PERMITTED PROVIDED BOTH SIDES AGREED THERETO IN AN APPROPRIATE AMENDMENT TO THE TREATY. HOWEVER, AS UNDER THE SOVIET DRAFT THERE IS NO BAN ON THE DEPLOYMENT OF SYSTEMS NOT SPECIFICALLY LIMITED, THE EFFECT OF ARTICLE XI WOULD BE TO PERMIT SUCH DEPLOYMENTS UNLESS BOTH SIDES CHOSE TO DISCUSS AND AGREE OTHERWISE. IT SHOULD BE NOTED THAT WHOLE SOVIET TEXT DEALS ONLY WITH STRATEGIC OFFENSIVE ARMS AND THEREFORE THIS ARTICLE DOES NOT DEAL WITH FUTURE DEFENSES AGAINST BOMBERS OR ASW SYSTEMS.

15. ARTICLE XII CONTAINS LANGUAGE EARLIER DISCUSSED BETWEEN THE SIDES IN CONNECTION WITH THE U.S. AUGUST 4, 1970, PROPOSAL AND

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THE INTERIM AGREEMENT, BUT NOT ACCEPTED BY THE SOVIET SIDE AT THAT TIME. ITS INCLUSION IN THE SOVIET DRAFT CAN BE VIEWED AS A MINOR CONCESSION TO U.S. VIEWS EARLIER EXPRESSED. HOWEVER, THE LANGUAGE WOULD ALLOW THE SOVIETS TO RETAIN THOSE ICBMS NOW OPERATIONALLY DEPLOYED AT TEST RANGES.

16. ARTICLE XIII IS BASED ON ARTICLE VIII OF THE ABM TREATY. HOWEVER, THE SOVIET DRAFT SUBSTITUTES THE WORDS "OR PUT IN CONDITION WHICH PRECLUDES THEIR SUBSEQUENT USE" FOR THE WORDS "UNDER AGREED PROCEDURES." THE NEW WORDS ARE DRAWN FROM SCC PROCEDURES CURRENTLY BEING NEGOTIATED.

17. THE FIRST PARAGRAPH OF ARTICLE XIV IS MODELED AFTER ARTICLE IX OF THE ABM TREATY COVERING NON-TRANSFER, ALTHOUGH U.S. UNILATERAL STATEMENT F NOTED ABM TREATY COULD NOT BE ACCEPTED AS A PRECEDENT FOR A SALT TREATY. FURTHERMORE, THE ABM TREATY PROVISION APPLIED TO THE ABM SYSTEMS OR COMPONENTS SPECIFICALLY LIMIT
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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 11 OCT 1973
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973SALTT05399
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: N/A
Film Number: n/a
From: SALT TALKS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731037/aaaabazr.tel
Line Count: 121
Locator: TEXT ON-LINE
Office: ACTION SS
Original Classification: SECRET
Original Handling Restrictions: EXDIS, ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: SECRET
Previous Handling Restrictions: EXDIS, ONLY
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags: ANOMALY
Review Date: 31 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31-Jan-2002 by martinjw>; APPROVED <21 FEB 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: n/a
TAGS: n/a
To: SECSTATE WASHDC DOD
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005